

-----  
**DJIBOUTI – Tier 2 Watch List**  
-----

Djibouti is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Some of Djibouti's older street children reportedly act as pimps of younger children in the sex trade. Members of foreign militaries stationed in Djibouti contribute to the demand for women and girls in prostitution, including possible trafficking victims. Street children—including those from Djibouti, Ethiopia, and Somalia—are sometimes forced by their parents or other adult relatives to beg as an additional source of family income; children may also be recruited from foreign countries for begging in Djibouti. Children are vulnerable to forced labor as domestic servants and coerced to commit petty crimes, such as theft. Over 80,000 men, women, and children from Ethiopia, Somalia, and Eritrea are estimated to have transited through Djibouti as voluntary and undocumented economic migrants *en route* to Yemen and other locations in the Middle East. An unknown number of these migrants are subjected to conditions of forced labor and sex trafficking upon arrival in these destinations. During their time in Djibouti, which may last for extended periods, this large migrant population, including foreign street children, is vulnerable to various forms of exploitation, including human trafficking. Some Djiboutian and migrant women and girls fall victim to domestic servitude or sex trafficking in Djibouti City; the Ethiopia-Djibouti trucking corridor; or Obock, the preferred departure point for Yemen via the Red Sea or Gulf of Aden. Some migrants intending to be smuggled may be moved or detained against their will and endure beatings and abuse within Djibouti. Smuggling networks, including Djiboutians and Djiboutian residents, may charge exorbitantly high rents or kidnap and hold migrants, including children, for ransom—increasing their vulnerability to trafficking and debt bondage; reports indicate some migrant women were subjected to domestic servitude and forced prostitution in Djibouti to pay these ransoms. In addition, ransoms are, at times, paid by traffickers based in Yemen or Saudi Arabia, who reportedly intend to exploit migrants upon their arrival there.

The Government of Djibouti does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government has not shown evidence of increasing efforts to address human trafficking compared to the previous year; therefore, Djibouti is placed on Tier 2 Watch List for a third consecutive year. Djibouti was granted a waiver from an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute making significant efforts to bring itself into compliance with the minimum standards for the elimination of trafficking, and it has committed to devoting sufficient resources to implement that plan. During the year, officials, including the prime minister, acknowledged the existence of trafficking in Djibouti and demonstrated a renewed interest in combating the crime—most evident in the government's completion of a national action plan in March 2014. The Ministry of Justice (MOJ) took steps to coordinate and focus its efforts on trafficking—and to attract donor support for anti-trafficking projects—by creating a senior taskforce that met regularly and included the Attorney General, the Inspector General of the Judiciary, and the MOJ's Foreign Affairs Advisor. The government expanded its partnership with IOM, which included joint trainings of officials and the publication of awareness-raising materials in 2013. The government continued to provide basic healthcare to undocumented migrants, but generally failed to recognize their vulnerabilities to trafficking or identify and protect those migrants who were victims of human trafficking in Djibouti. The

government did not collect statistics on trafficking victims and did not provide information on any victims identified in 2013. Although officials convicted one trafficker, he was released from jail when his appeal resulted in a suspended sentence—an inadequate deterrent to the commission of trafficking crimes. The government failed to investigate or initiate the prosecution of any forced labor or child prostitution crimes during the year.

**Recommendations for Djibouti:**

Finalize and implement the national action plan; when implementing anti-trafficking laws, identifying victims, and combating trafficking generally, use a broad definition of trafficking in persons consistent with the 2000 UN TIP Protocol that does not rely on evidence of movement, but rather on exploitation of the victim; work with judges, prosecutors, and police to clarify the difference between cases of human trafficking and alien smuggling; enforce the anti-trafficking laws through investigation and prosecution of trafficking offenders, especially those responsible for child prostitution, domestic servitude, or other forced labor offenses, and provide data on convictions and sentences of trafficking offenders; institute a module on human trafficking as a standard part of the mandatory training program for new police and border guards; establish policies and procedures for government officials—including law enforcement, health, and social welfare officers—to identify proactively and interview potential trafficking victims and transfer them to care; expand mechanisms for providing protective services to victims, possibly through the forging of partnerships with NGOs or international organizations; form partnerships with local religious leaders, encouraging them to educate their congregations about trafficking; and launch a nationwide anti-trafficking awareness campaign.

**Prosecution**

The government made minimal law enforcement efforts to address human trafficking crimes. Djibouti's Law 210, "Regarding the Fight Against Human Trafficking," enacted in December 2007, prohibits both forced labor and sex trafficking, but does not adequately distinguish between human trafficking and alien smuggling. It provides for the protection of victims regardless of ethnicity, gender, or nationality, and prescribes penalties of two to five years' imprisonment, penalties which are sufficiently stringent, but not commensurate with those prescribed for other serious crimes, such as rape. Law 111, "Regarding the Fight Against Terrorism and Other Serious Crimes" of 2011, increased penalties to 10 years' imprisonment for human trafficking crimes and adequately defines the crime in line with international law.

The government reported law enforcement efforts to address potential trafficking crimes, including one trafficking conviction in 2013. In this case, the courts convicted a sex trafficker—under delinquency, pimping, and abuse of power provisions—for forcing his employees into prostitution with threats of firing; he also made his staff recruit children into prostitution and rewarded the staff if they did so. Although initially sentenced to two years' imprisonment in February 2013, upon appeal of his conviction in May 2013, the defendant received a two year suspended sentence and was released from prison; the limited term of imprisonment imposed served as an ineffective deterrent to the commission of trafficking crimes. The government did not investigate or initiate prosecutions of forced labor or child prostitution offenses during the reporting period.

A deputy prosecutor had responsibility for overseeing all human trafficking prosecutions. At three training sessions funded by IOM and held in a government facility in 2013, the deputy prosecutor trained 75 *gendarme*, police, and security officials on Law 210 and the difference between trafficking and smuggling. Local stakeholders believed the government must increase its efforts to train front-line responders—including police, immigration, and coast guard officials—on the nature of trafficking and procedures for identifying victims. In 2013, the Djiboutian police partnered with Ethiopian officials to share information and apprehend an undisclosed number of Ethiopian smugglers and potential traffickers involved in the movement of Ethiopian nationals through Djibouti. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

## **Protection**

Government efforts to protect victims of trafficking remained inadequate; it did not report identification of any victims of human trafficking in 2013. It lacked a formal system to proactively identify victims of trafficking among high-risk populations, such as undocumented immigrants and persons found in prostitution. Official round-ups, detentions, and deportations of non-Djiboutian residents, including children, remained routine. Among undocumented foreigners, the government focused on identifying their country of origin and deporting them; it did not consistently screen this population for trafficking victimization. Djiboutian authorities provided a basic level of care to African migrants in crisis, including food and emergency outpatient care for dehydration, pregnancy, or injuries received while traveling. Because of the government's lack of screening procedures, it is unclear whether trafficking victims among this migrant population received these services. The government detained children in prostitution and street children, including potential trafficking victims, following sweeps to clear the streets in advance of holidays or national events; after detention, if identified as Ethiopian or Somali, immigration officials transported the children to Ali Sabieh, near the Ethiopian border, and abandoned them there, leaving them vulnerable to potential re-trafficking.

The government did not have a policy in place to encourage victims' participation in investigations. Although the government implemented a program to grant residency status to undocumented Ethiopian migrants, a population vulnerable to trafficking in Djibouti, it did not formally offer foreign trafficking victims legal alternatives to removal to countries where they may face hardship or retribution. The Ministry of the Interior, the agency responsible for protection of refugees, and the Ethiopian embassy collaborated on the voluntary return of 417 Ethiopians from Djibouti in 2013; IOM estimated this group included 50 trafficking victims, although details on whether this group included victims of labor or sex trafficking were not available.

## **Prevention**

Although the government finalized its national action plan, tangible efforts to prevent trafficking were minimal overall. The previous anti-trafficking working group led by the Ministry of Justice was disbanded and replaced by a more senior team; however, the lack of ministerial coordination across the government to combat this crime continued to be a concern. In addition, government officials reviewed and contributed to IOM's development of awareness-raising materials—targeting prospective migrants and those in transit—which covered the differences between trafficking and smuggling, the dangers of irregular migration, and phone numbers for emergency

services in Djibouti. At the end of the reporting period, these materials had been printed, but not distributed. The government did not coordinate any awareness raising events during the reporting period. The government reportedly arrested clients of women in prostitution, but did not take any other known measures to reduce the demand for commercial sex acts or make efforts to minimize the demand for forced labor. It provided Djiboutian troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions, though such training was conducted by a foreign donor.